

Message Text

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E.O. 11652: GDS
TAGS: PINT, PGOV, SHUM, CI
SUBJ: PINOCHET'S APRIL 5 SPEECH: PRISONER RELEASES; TRANSITION
PERIOD TO START IN 1979

REF: SANTIAGO 2393

1. SUMMARY: THE SCOPE OF THE PRISONER RELEASE PINOCHET
ANNOUNCED DURING THE COURSE OF HIS APRIL 5 SPEECH EX-
CEEDED EXPECTATIONS. ACCORDING TO ICEM, WHICH STILL
DOES NOT HAVE A DEFINITIVE INTERPRETATION FROM THE GOC,
AT LEAST 220 PEOPLE WILL BENEFIT IMMEDIATELY. BY
COMBINING INTO ONE CONSTITUTION THE TWO PHASE PROCESS
 PINOCHET HAD OUTLINED LAST JULY AND BY PROMISING TO PUT
THE DOCUMENT TO A PLEBISCITE, PINOCHET HAS GIVEN CHILEANS
A CHANCE TO VOTE ON THE TRANSITION PLAN AND SEE THE
PERMANENT STRUCTURE FIVE YEARS EARLIER THAN PREVIOUSLY
SUGGESTED. HOWEVER, PINOCHET LEFT OPEN THE OVERALL
ISSUE OF TIMING WHILE EMPHASIZING THE NEED FOR A GRADUAL
TRANSITION PERIOD DURING WHICH THERE WOULD BE NO
ELECTIONS. PINOCHET CALLED FOR NATIONAL UNITY IN
THE FACE OF DOMESTIC TROUBLEMAKERS (READ OPPOSITION
POLITICIANS, NOT GENERAL LEIGH) AND THE INTERNATIONAL
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COMMUNIST CONSPIRACY. HE LAMENTED CURRENT STRAINS WITH
NEIGHBORING COUNTRIES AND PROMISED THAT CHILE, WHILE
CONTINUING TO DEFEND ITS LEGAL RIGHTS, WOULD REDOUBLE
EFFORTS TO REACH AN AMICABLE SETTLEMENT. WITH REGARD
TO THE LETELIER CASE, PINOCHET POINTED TO EXTENSIVE PRESS
COVERAGE AND THE GOVERNMENT'S COOPERATION IN THE INVESTIGA-
TION AS DEMONSTRATIVE OF THE GOC'S, AND HIS, COMPLETE

INNOCENCE. PINOCHET STARTED OFF ON AN UPBEAT TONE BY CHRONICLING THE SUCCESSES OF THE ECONOMIC PROGRAM, PROMISING TO IMPROVE EMPLOYEMENT AND WAGES, AND CITING THE JANUARY PLEBISCITE AS AN ENDORSEMENT OF HIS GOVERNMENT.

2. THE SPEECH WAS PINOCHET'S EFFORT TO REGAIN THE INITIATIVE. BUT WE MUST WATCH THE CONSTITUTIONAL DRAFTING PROCESS TO SEE HOW MUCH HE REALLY YIELDED IN THAT AREA. WE SUGGEST THAT IN ANY PUBLIC STATEMENT THE DEPARTMENT STRESS THE POSITIVE NATURE OF THE PRISONER RELEASE, PERHAPS WEAVING IN OTHER RECENT CONCRETE MEASURES (E.G., ENDING TIME OF WAR COURTS MARTIAL BY LIFTING THE STATE OF SIEGE, RE-ENTRY OF JAIME CASTILLO). DEPARTMENT MAY WISH TO EXPRESS HOPE THAT THE TRANSITION PERIOD WILL BE SHORTENED SUBSTANTIALLY, BUT SHOULD BE AWARE THAT ON ITS FACE PINOCHET'S SPEECH LEFT THE MATTER OF TIMING OPEN. END SUMMARY.

3. PRISONER RELEASES: PINOCHET EXCEEDED EXPECTATIONS WITH HIS SWEEPING COMMITMENT TO PARDON OR COMUTE THE SENTENCES OF ALL THOSE CONVICTED BY MILITARY COURTS, BEFORE AND AFTER THE COUP, FOR VIOLATIONS OF THE NATIONAL SECURITY LAWS. EVEN ICEM, WHICH HAD BEEN WORKING WITH THE GOC FOR A MASS RELEASE (SANTIAGO 2474), EXPRESSED SURPRISE TO US. THE PRESIDENT'S DECISION CLEARLY APPLIES TO THE NEARLY 70 PRISONERS WHOSE EARLIER REQUESTS FOR COMMUTATION HAD BEEN REJECTED (INCLUDING THE VALPARAISO NAVY TRIAL 8)

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AND FORTY OTHERS IN JAIL WITHOUT VISAS TO DEPART. IT ALSO SEEMINGLY APPLIES TO THE 50 SOME SENTENCED TO RUSTICATION AND 50 IN CONDITIONAL LIBERTY. NOT EVEN THE GOC KNOWS HOW MANY ARE SERVING TIME FOR CRIMES WELL BEFORE THE COUP; SEVERAL SOURCES REPORT THAT PINOCHET WILL PARDON THOSE INVOLVED IN THE SCHNEIDER AFFAIR. (ACCORDING TO AN APRIL 6 GOC STATEMENT, OF A TOTAL 224 ELIGIBLE BENEFICIARIES, 89 DO NOT SEEK COMMUTATION, 72 OTHERS HAVE NO VISAS, AND 63 PREVIOUSLY REJECTED PETITIONS WILL BE APPROVED. THIS TOTAL PRESUMABLY INCLUDES THOSE IN JAIL, BANISHED AND ON CONDITIONAL LIBERTY).

4. THE TRANSITION PLAN: AS PORTENED IN HIS SPEECH TO LABOR LEADERS LAST WEEK (REFTEL AND SANTIAGO 2481), PINOCHET ANNOUNCED THAT A NEW CONSTITUTION WOULD BE READY FOR

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FINAL JUNTA APPROVAL BY YEAR END AND SUBSEQUENTLY BE PUT TO A PLEBISCITE. (PRESUMABLY THEN THE TRANSITION PHASE WOULD BEGIN SOMETIME IN 1979.) THE PERMANENT CONSTITUTION WILL HAVE TRANSITION ARTICLES COVERING THE TRANSITION PERIOD IN LIEU OF A TWO STEP PROCESS OF INTERIM CONSTITUTIONAL ACTS REPLACED BY A PERMANENT CONSTITUTION WHICH PINOCHET SUGGESTED IN HIS CHACARILLAS SPEECH OF JULY 1977. PER CHACARILLAS, THE SO-CALLED TRANSITIONAL PHASE WOULD HAVE BEGUN IN 1980 OR EARLY 1981 WITH THE FORMAL CONSTITUTION APPROVED BY THE PARITALLY ELECTED CONGRESS IN 1984-85. THUS THE TRANSITION TIMETABLE APPEARS TO HAVE ADVANCED BY AT LEAST ONE YEAR AND THE PERMANENT STRUCTURE WILL BE UNVEILED FIVE-SIX YEARS EARLIER. IN ADDITION THE PEOPLE NOW GET A CHANCE TO APPROVE THE TRANSITION SCHEME AND FINAL STRUCTURE; UNDER CHACARILLAS THEY WOULD HAVE HAD NO FORMAL VOICE IN THE FORMER AND, PERHAPS, NOT EVEN THE LATTER.

5. THE PERIOD OF TRANSITION WILL BE DETERMINED DURING THE DRAFTING PROCESS. ACCORDING TO THE CHACARILLAS PLAN IT WAS TO LAST AT LEAST FOUR YEARS. PINOCHET MADE CLEAR THAT HE WAS NOT ABANDONING THE GRADUALIST APPROACH AT THE CORE OF CHACARILLAS. THE TRANSITION WOULD CONTINUE TO BE

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CHARACTERIZED BY THE ARMED FORCES HOLDING THE "ESSENCE" OF POLITICAL POWER ALTHOUGH EXERCISING IT WITH CIVILIANS FIRST AS COLLABORATORS AND THEN AS PARTICIPANTS. ALL THE ELEMENTS OF THE EVENTUAL NEW INSTITUTIONALIZATION WOULD COME INTO EFFECT DURING THE TRANSITION, BUT WITHOUT RECOURSE TO WHATEVER ELECTORAL PROCESSES MIGHT BE PLANNED

FOR THE PERMANENT STRUCTURE. THUS THE TRANSITION CONGRESS WOULD BE DESIGNATED BY THE GOC; THE PERMANENT INSTITUTION WOULD HAVE "A SUBSTANTIAL MAJORITY" DIRECTLY ELECTED.

6. PINOCHET MADE NO MENTION OF PRESIDENTIAL SELECTION. HE ALSO CALLED FOR THE CREATION OF A CONSTITUTIONAL COURT CHARGED WITH EXERCISING THE "SECURITY POWER AND OTHER FUNCTIONS NOW UNDER STUDY". PINOCHET SAID THAT DURING 1978 THE GOVERNMENT WILL MAKE "SIGNIFICANT PROGRESS" IN GRANTING GREATER AUTONOMY AND PARTICIPATION TO INTERMEDIATE GROUPS, CITING THE RECENTLY ANNOUNCED NATIONAL LABOR COUNCIL AS AN EXAMPLE.

7. MECHANICALLY, THE CONSTITUTIONAL COMMISSION IS TO PRESENT PINOCHET WITH A ROUGH DRAFT OF THE COMBINED TRANSITION/PERMANENT DOCUMENT BY MAY 21; HE WILL ASK FOR COMMENTS FROM THE COUNCIL OF STATE; THE JUNTA WILL REVIEW THE PACKAGE; THE COMMITTEE WILL PREPARE A FINAL DRAFT FOR JUNTA APPROVAL BY JANUARY 1, 1979; AND (AT AN UNSPECIFIED TIME) THE CONSTITUTION WILL BE SUBMITTED TO A PLEBISCITE.

8. THE INTERNATIONAL SCENE: ACKNOWLEDGING WIDESPREAD PRE-OCCUPATION ABOUT CHILE'S INTERNATIONAL POSITION, PINOCHET ASCRIBED THE COUNTRY'S DIFFICULTIES TO THE USUAL SCAPEGOAT: THE INTERNATIONAL COMMUNIST CONSPIRACY ABETTED BY A FEW DISLOYAL DOMESTIC GROUPS. ACCORDING TO PINOCHET, CHILE'S CURRENT STRAINED RELATIONS WITH NEIGHBORS DE-
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RIVE FROM COMPLETELY DISPARATE CAUSES AND CHILE HOPES THEY WILL BE TEMPORARY. ALTHOUGH CHILE HOLDS FIRMLY TO ITS CONVICTION THAT THE RULE OF LAW SHOULD PREVAIL INTERNATIONALLY AND THAT TREATIES SHOULD BE INVOLATE (A BARB AT BOTH ARGENTINA AND PERU), CHILE'S DEFENSE OF IS JURIDICAL RIGHTS WILL NOT KEEP IT FROM "REDOUBLING EFFORTS TO REACH AMICABLE SOLUTIONS WITH OUR NEIGHBORS".

9. WHILE CHILE WILL CONTINUE TO DEFEND ITS DIGNITY AND HONOR WHEN FACED WITH UNJUST ATTACKS IN INTERNATIONAL FORA, SAID PINOCHET, IT WILL CONTINUE TO WORK FAITHFULLY TOWARD THE TRUE IDEALS AND OBJECTIVES OF THESE BODIES.

10. LETELIER AFFAIR: THE MOST SLANDEROUS ATTACK FROM GOC OPPONENTS, ACCORDING TO PINOCHET, HAS BEEN THE ATTEMPT TO LINK THE GOVERNMENT WITH THE LETELIER ASSASSINATION. THE "ALMOST SCANDALOUS" COVERAGE IN THE CHILEAN MEDIA AND THE GOC'S FULL COOPERATION IN THE INVESTIGATION ILLUSTRATE THE GOC'S COMPLETE INNOCENCE. PINOCHET PLEDGED HIS GOVERNMENT WOULD CONTINUE TO WORK TOWARD A COMPLETE CLARIFICATION OF THE TRUTH AND WANTS PUNISHMENT METED OUT TO THOSE

RESPONSIBLE "WHATEVER THEIR POSITION OR NATIONALITY...
THAT'S HOW A LEADER PROCEEDS WHEN HIS CONSCIENCE IS CLEAR
AND HIS CONDUCT GUIDED BY SOLID CHRISTIAN MORAL PRINCIPALS".

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WITH THE NOR AND REPUTATION OF CHILE AT STAKE,
PINOCHE HOPED THAT THOSE WHO HAVE PREJUDGED CHILE
WILL JUST AS FORCEFULLY RECAST WHEN THE FULL RECORD
BECOMES KNOWN.

11. PINOCHE BEGAN THE SPEECH ON THE UPBEAT NOTE
STRESSING ECONOMIC PROGRESS AND THE VOTE OF CONFIDENCE
EXTENDED IS GOVERNMENT IN THE JANUARY PLEBISCITE.
PINOCHE EMPHASIZED ACHIEVEMENTS IN THREE ECONOMIC
PRIORITIES ESTABLISHED IN 1975: (A) THE BALANCE OF PAY-
MENTS IN 1978 IS PROJECTED TO POST THE THIRD CONSECUTIVE
ANNUAL SURPLUS -- IN EXCESS OF \$200 MILLION, ADDING TO
FOREIGN EXCHANGE RESERVES WHICH NOW EXCEED ONE BILLION
DOLLARS; (B) INFLATION WILL NOT EXCEED 30 PERCENT (VICE
A 375 PERCENT RATE WHEN THE ECONOMIC AUSTERITY PLAN WAS
INITIATED); AND (C) ECONOMIC REACTIVATION PRODUCED AN
8.6 GROWTH IN GDP IN 1977 AND ANOTHER 7 PERCENT IS PRO-
JECTED FOR THIS YEAR. IMPLICIT IN PINOCHE'S REMARKS,
HOWEVER, WAS AN ACKNOWLEDGMENT THAT ECONOMIC PROGRESS HAS
FAILED TO TRANSLATE INTO SOCIAL JUSTICE. THEREFORE PINOCHE
DECLARED UNEMPLOYMENT THE CHIEF SOCIAL PRIORITY IN 1978.
HE INDICATED THE GOVERNMENT'S INTENTION TO INCREASE FISCAL
EXPENDITURES ON PUBLIC EMPLOYMENT PROGRAMS. EMPHASIS
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ON UNEMPLOYMENT IS POSSIBLE AS A RESULT OF THE RECUPERATION OF THE ECONOMY. PINOCHET CREDITED INCREASING FOREIGN INVESTMENT AS THE ENGINE OF THIS RECUPERATION AND DECLARED THAT IT ASSURES CHILE'S FUTURE DEVELOPMENT AND ECONOMIC WELLBEING.

12. PINOCHET CLOSED WITH AN APPEAL FOR CHILEANS TO STAND BEHIND HIM THEREBY "TRANSFORMING THESE ADVERSE (INTERNATIONAL) CIRCUMSTANCES INTO A NATIONAL TRIUMPH".

13. COMMENT: A YEAR AGO PINOCHET, IRKED THAT THE OBSTREPEROUS CHRISTIAN DEMOCRATS WOULD FLAUNT HIS DEMAND FOR POLITICAL RECESS BY HOLDING AN INTERNAL ELECTION, OUTLAWED ALL POLITICAL PARTIES AND INSTITUTED A FORM OF PRIOR CENSORSHIP. TWELVE MONTHS LATER HE LIFTED THE STATE OF SIEGE AND WITH IT DRUM-HEAD COURTS MARTIAL (ALBEIT LEAVING IN PLACE A WIDE RANGING STATE OF EMERGENCY), ENDED THE CURFEW (WHILE A REPLACEMENT ECONOMIC "RESTRICTION" EFFECTIVELY INHIBITS AFTER-HOURS MOVEMENT) FOLDED ON JAIME CASTILLO'S (AND OTHERS'L RE-ENTRY TO CHILE (SEPTEL), WENT AHEAD WITH A LONG DELAYED PRISONER RELEASE, OPENED UNPREDICTABLE NEW AVENUES IN HIS TRANSITION PROGRAM, AND ACKNOWLEDGED WIDESPREAD PUBLIC CONCERN ABOUT CHILE'S INTERNATIONAL SITUATION. IF PRISONER RELEASES GO FORWARD AS PROJECTED ONLY 80-90 PEOPLE WOULD REMAIN IMPRISONED AWAITING TRIAL, IN STARK CONTRAST, JUST OVER TWO YEARS AGO, THE GOC WAS DETAINING AT LEAST 4300 PEOPLE FOR VARIOUS INTERNAL SECURITY REASONS.

14. FROM USG PERSPECTIVE, PINOCHET'S RECENT DECISIONS SEEM TO DEMONSTRATE HIS RECOGNITION OF THE NEED TO ACCEDE RATIONALLY TO DOMESTIC AND INTERNATIONAL PRESSURES. WHATEVER HIS MOTIVATION, HE IS MOVING CHILE IN A

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POSITIVE DIRECTION. PINOCHET HAS NOT SPELLED OUT THE DURATION OF THE TRANSITION, NOR IS THE SHAPE OF HIS DEMOCRACY LIKELY TO JIBE FOURSQUARE WITH OURS. THE EMBASSY BELIEVES THAT A CAREFULLY COUCHED PUBLIC STATEMENT, ONCE THE DUST HAS SETTLED A FEW DAYS FROM NOW, MIGHT PROVIDE REINFORCEMENT FOR ENCOURAGING TRENDS. SUCH A STATEMENT MIGHT NOTE FAVORABLY SPECIFIC VERIFIABLE EVENTS AND FIRM COMMITMENTS, WEAVING THEM INTO A HOPE THAT THEY INDICATE THE RECEPTIVITY OF THE GOC TO RESTORE A FULLY PARTICIPATORY DEMOCRACY TO CHILE SOON. THE PRISONER RELEASES, LIFTING OF THE STATE OF SIEGE, EASING

THE CURFEW, READMISSION OF CASTILLO AND THE PLEDGE TO PRODUCE THE FINAL DRAFT OF THE CONSTITUTION ARE EITHER FACT OR FIRMLY PROMISED. TAKEN TOGETHER THE DEPARTMENT COULD BE LED TO HOPE THAT THEY MEAN THE TRANSITION TOWARD EFFECTIVE REPRESENTATIVE DEMOCRACY IN CHILE WILL SOON GET UNDERWAY.

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